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March 23, 2018

Hon. Cathy Seibel
United States District Judge
Charles L. Brieant United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: The Wave Studio, LLC v. Visa Inc., Case No. 7:15-CV-04953-CS

*The Wave Studio, LLC v. General Hotel Management Ltd., et al.,
Case No. 7:13-CV-09239-CS*

Dear Judge Seibel:

This firm represents Visa Inc. (“Visa”) in *The Wave Studio, LLC v. General Hotel Management Ltd., et al.*, Case No. 7:13-CV-09239-CS (the “GHM Action”). Pursuant to the Court’s request, we are writing to address what should happen to the non-GHM defendants (which include Visa) in the GHM Action and related actions.

Wave agreed to stay the proceedings against the non-GHM defendants pending resolution of the underlying dispute. *See* No. 156. Upon dismissing Wave’s claims against GHM based on the finding that the dispute should be resolved in Singapore, the Court maintained the stay against the non-GHM defendants pending the resolution of the case between Plaintiff and GHM in Singapore. No. 209 at 21. Instead of pursuing its claims in Singapore, Wave appealed and the Second Circuit affirmed the Court’s order.

In Visa’s view, nothing has changed. Wave’s claims against Visa and the other non-GHM defendants cannot and should not proceed until the underlying dispute between Wave and GHM is resolved. However, GHM’s ability to maintain the actions against the non-GHM defendants should not be open ended. Accordingly, Visa respectfully requests that the Court continue to stay the proceeding against Visa, but enter a date by which the case will be dismissed with prejudice if Wave does not promptly prosecute its claims against GHM.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael J. McCue".

Michael J. McCue